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2003080-0069
(SK-744-CON2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Danishefsky *et al.* Examiner: T. Solola
Serial No.: 09/808,451 Group Art Unit: 1626
Filed: March 13, 2001
For: *Synthesis of Epothilones, Intermediates Thereto, Analogues and Uses Thereof*

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

Sir:

TRANSMITTAL

Enclosed please find the following documents regarding the above-referenced matter:

- 1) Petition Under 37 CFR § 1.10 (c) and;
- 2) Return Postcard.

Additionally, please charge any further fees associated with this filing or apply any credits to our Deposit Account No. 03-1721.

Respectfully submitted,

Karoline K.M. Shair, Ph.D.
Registration No. 44,332

Choate, Hall & Stewart
Exchange Place
53 State Street
Boston, MA 02109
(617) 248-5000
Dated: June 29, 2001

3285839_1.DOC

I hereby certify that this correspondence is being
deposited with the United States Postal Service as first
class mail in an envelope addressed to: Assistant
Commissioner For Patents, Washington, D.C. 20231

on June 29, 2001



EXHIBIT A
CHOATE, HALL & STEWART

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

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ASSISTANT COMMISSIONER FOR PATENTS
BOX PATENT APPLICATION
WASHINGTON, D.C. 20231

Express Mail No.: EL603009518US

Date Filed: March 13, 2001

Attorney Docket No.:

2003080-0069 (SK-744-US/CON2)

UTILITY PATENT APPLICATION TRANSMITTAL

(FOR NEW NONPROVISIONAL APPLICATIONS UNDER 37 C.F.R. § 1.53(B))

Dear Sir:

Please find enclosed a patent application and papers as follows for:

Inventor(s): Samuel J. DANISHEFSKY, Peter BERTINATO, Dai-Shi SU, Dongfang MENG, Ting-Chao CHOU, Ted KAMENECKA, Erik J. SORENSEN, Aaron BALOG, and Kenneth A. SAVIN

Title: *Synthesis of Epothilones, Intermediates Thereto, Analogues and Uses Thereof*

A) APPLICATION ELEMENTS:

1) X **Fee Transmittal Form** (original and duplicate submitted for fee processing)

2) X **Specification**

TOTAL PAGES: 112

- Descriptive Title of the Invention
- Cross References to Related Applications (if applicable)
- Statement Regarding Federally Sponsored R & D (if applicable)
- Reference to Microfiche Appendix (if applicable)
- Background of the Invention

EXPRESS MAIL NO.: EL603009518US
DATE FILED: MARCH 13, 2001

(Specification continued)

- Summary of the Invention
- Description of the Drawing (if filed)
- Detailed Description of the Invention
- Claim(s)
- Abstract of the Invention

3) ☒ **Drawing(s)** (35 U.S.C. § 113)

TOTAL SHEETS: 59 (original)

(both originally filed and formal drawings are submitted herewith) 76 (formal)

4) ☒ **Oath or Declaration**

TOTAL PAGES: 10

a) ☐ Newly Executed (original or copy)

b) ☒ Copy from a prior application (37 C.F.R. § 1.63(d))

i) ☐ DELETION OF INVENTOR(S): Signed Statement deleting inventor(s) named
in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

c) ☐ Unexecuted

5) ☐ **Microfiche Computer Program** (Appendix) (if applicable)

6) ☐ **Nucleotide and/or Amino Acid Sequence Submission** (if applicable, all are
necessary)

a) ☐ Computer Readable Copy

b) ☐ Paper Copy (identical to computer copy)

c) ☐ Statement verifying identity of above copies

B) ACCOMPANYING APPLICATION PARTS:

7) ☒ **Assignment Papers** (as filed in parent application; with cover sheet &
document(s)); (2 sets: Reel/Frame: 9008/0728, Reel/Frame: 9234/0239) (12
pages)

8) ☐ **37 C.F.R. § 3.73(b) Statement**

9) ☒ **Power of Attorney** (combined with declaration provided) and copy of the
Notice Regarding Power of Attorney (1 page)

10) ☐ **English Translation Document** (if applicable)

- 11) X **Information Disclosure Statement (IDS)/PTO-1449 and Statement Filed Pursuant to the Duty of Disclosure.** (6 pages total)
- 12) **Copies of IDS Citations** (not checked, because documents provided in 08/986,025)
- 13) X **Preliminary Amendment** (4 pages and 6 pages of Paragraph and Section Replacements for Preliminary Amendment)
- 14) X **Return Receipt Postcard (MPEP 503)** (specifically itemized)
- 15) X **Small Entity Statement(s)** (2 pages)
- a) Newly executed
- b) X Statement filed in prior application; status still desired and proper (37 C.F.R. § 1.28)
- c) Unexecuted Small Entity Statement
- 16) **Certified Copy of Priority Document(s)** (if foreign priority is claimed)
- 17) **OTHER:**

C) FOR CONTINUING APPLICATIONS: (the appropriate box is checked, and certain information is provided below and in a preliminary amendment)

<u>X</u> CONTINUATION	<u> </u> DIVISIONAL	<u> </u> CONTINUATION-IN-PART (CIP)
OF PRIOR APPLICATION NO:	<u>08/986,025</u>	
FILED:	<u>DECEMBER 3, 1997</u>	
EXAMINER:	<u>T. SOLOLA</u>	
GROUP/ART UNIT:	<u>1626</u>	

FOR CONTINUATION OR DIVISIONAL APPLICATIONS ONLY: The entire disclosure of the prior application, from which an oath or declaration is supplied as detailed above, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

D) CORRESPONDENCE ADDRESS:



24280

PATENT TRADEMARK OFFICE

X Customer Bar Code Label:

X Correspondence Address:

Karoline K. M. Shair
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phone: (617) 248-5000
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Please charge the Deposit Account No. 03-1721 for \$1,960.00 to cover the basic filing fee and claim fees for small entity status.. If any additional fees are necessary please charge Deposit Account No. 03-1721.

Respectfully Submitted,

Karoline K. M. Shair, Ph.D.

Reg. No.: 44,332

JOINT

**APPLICATION
FOR
UNITED STATES LETTER PATENT**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

BE IT KNOWN, that We, **Samuel J. Danishefsky, Peter Bertinato, Dai-Shi Su, Dongfang Meng, Ting-Chao Chou, Ted Kamenecka, Erik J. Sorensen, Aaron Balog and Kenneth A. Savin** have invented certain new and useful improvements in **Synthesis of Epothilones, Intermediates Thereto, Analogues and Uses Thereof** of which the following is a specification

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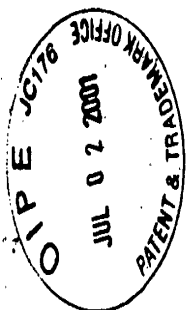
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Time In	Postage
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Express Mail Corporate Acct. No.	X022-132
Federal Agency Acct. No. or Postal Service Acct. No.	2003080-0062
<input checked="" type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent. (If delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.	
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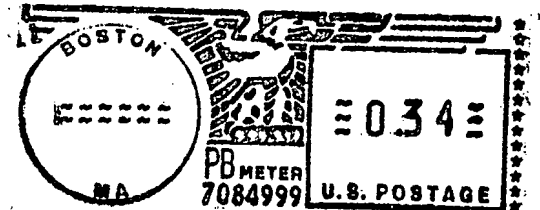
Date Filed: June 29, 2001

The Patent and Trademark Office stamping
sets forth and receipt date
(or both the receipt date and the Serial Number)
of a patent application identified as follows:

Applicant:	Danishefsky <i>et al.</i>	Examiner:	T. Solola
Serial No.:	09/808,451	Group Art Unit:	1626
Filed:	March 13, 2001		
For:	<i>Synthesis of Epothilones, Intermediates Thereto, Analogues and Uses Thereof</i>		

- 1) Transmittal; and
- 2) Petition filed under 37 CFR 1.10(c).

Attorney: KS Case No. 2003080-0069



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